



U.S. Department of Transportation
Federal Highway Administration

Moving Ahead for Progress in the 21st Century Act: A MAP-21 Update

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April 2013

Outline

- Highlights of MAP-21
- Key challenges/opportunities.
 - Project streamlining.
 - Utility relocation.
 - Buy America provisions.
 - Changes to the NHS.
 - Highway Beautification Act.
 - Junkyard controls.

MAP-21 Highlights

- Authorizes program through FY-14.
- Provides 27 months of stable funding.
- First major overhaul of surface transportation legislation since ISTEA in 1991.
- Most provisions went into effect on October 1st.
- Average annual funding for FY-13 and 14 at \$41.0 billion.
- No earmarks.
- Does not provide long-term stability to the Trust Fund.

MAP-21 Highlights

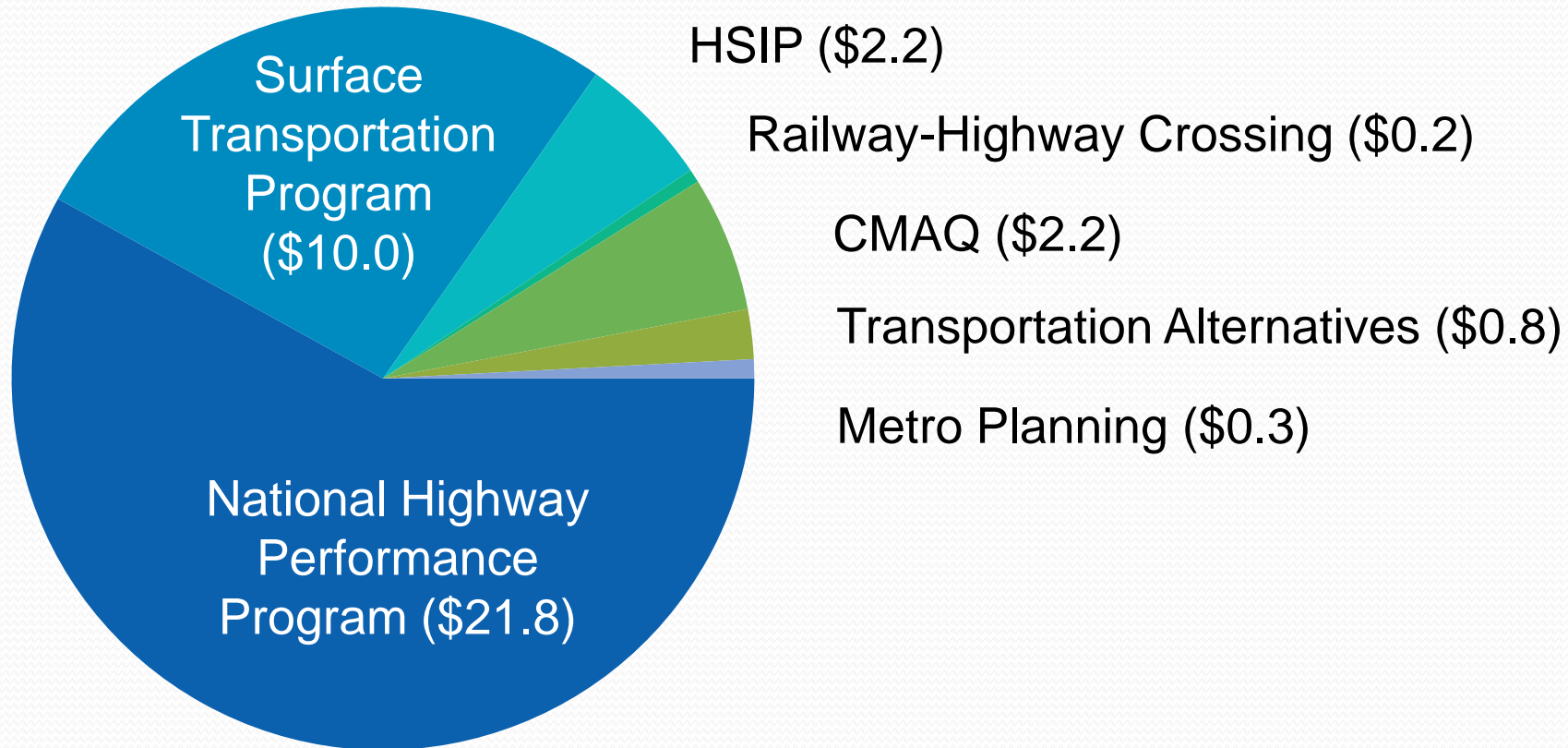
- Almost no discretionary programs.
- Significant program consolidation.
- Enhanced NHS.
- Builds from Every Day Counts.
- Emphasis on project delivery times without sacrificing environment.
- Establishes performance-based Federal program.
- Changes the applicability of the Buy America provisions.

MAP-21 Highlights

Program Structure

MAP-21	Current Law
National Highway Performance Program (NHPP)	NHS, IM, & Bridge (portion)
Surface Transportation Program (STP)	STP & Bridge (portion)
Congestion Mitigation & Air Quality Improvement Program (CMAQ)	CMAQ
Highway Safety Improvement Program (HSIP)	HSIP (incl. High Risk Rural Roads)
Railway-Highway Grade Crossing <i>(takedown from HSIP)</i>	Railway Highway Grade Crossing
Metropolitan Planning	Metropolitan Planning
Transportation Alternatives <i>(set aside from NHPP, STP, HSIP, CMAQ, and Metro Planning)</i>	TE, Recreational Trails, and Safe Routes to School

\$37.7 billion/year in formula funding



Note: Amounts in \$ billions; individual program amounts do not add exactly to total due to rounding

MAP-21

Key Challenges

- Uniform Act.
 - Early acquisition prior to NEPA.
 - Application to utility relocation.
- Buy America Provisions.
- Changes to the National Highway System (NHS).
- Highway Beautification Act.
 - Outdoor advertising.
 - Junkyard control.

MAP-21

Advance Acquisition of Real Property

- Section 108 of Title 23 is amended by striking “real property” and “right-of-way” and inserting “real property interests”.
- The acquisition of real property interest includes the acquisition of:
 - Any interest in land.
 - a contractual right to acquire any interest in land .
 - Any other similar action to acquire or preserve right-of-way for a transportation facility.

MAP-21

Advance Acquisition of Real Property

- Expands the eligibility for the acquisition of real property interests prior to the completion of the environmental review under the National Environmental Policy Act of 1969.

MAP-21

Relocation of Utilities

- For those utilities that have the dominant right of occupancy within the right-of-way, MAP-21 expands the eligibility for Federal-aid reimbursement for the relocation of these utilities prior to the completion of the environmental review under the National Environmental Policy Act of 1969 (NEPA document).

MAP-21

Advance Acquisition of Real Property

States requesting Federal funding for the relocation of utilities that have the dominant right of occupancy within the right-of-way, must certify the following:

- Is for a transportation purpose.
- Will not cause any significant environmental impact.
- Will not limit the choice of reasonable alternatives.
- Does not prevent the lead agency from making an impartial decision.

MAP-21

Advance Acquisition of Real Property

- The relocation is accomplished through negotiation without the thread of condemnation.
- Is consistent with the State planning process.
 - The **R**relocation project is included in an applicable Transportation Improvement Program (TIP).
- The State has the authority to proceed under State **L**aw.
- Complete a review for the utility relocation under the National Environmental Act of 1969

MAP-21

Advance Relocation of Utilities

- Can't be developed in anticipation of a project until all required environmental reviews for the project have been completed. 23USC108(d)(6).
- Relocation was required by an eligible Federal-aid project.
- Buy American ~~P~~rovisions ~~A~~pply

MAP-21 Challenges

Buy America Provisions

- Section 1518 in MAP21 amends Section 313 of Title 23 by adding the following:

“(g) Application to Highway Programs- The requirements under this section shall apply to all contracts eligible for assistance under this chapter for a project carried out within the scope of the applicable finding, determinations, or decisions under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), regardless of the funding source of such contracts, if at least one contract for the project is funded with amounts made available to carry out this title.”

MAP-21

Sec 1104 National Highway System

- Redefines the National Highway System (NHS) to include:
 - The NHS as of 5/24/96.
 - Urban and rural principal arterial routes.
 - Border crossings.
 - Other connector highways, including toll facilities, that provide access to major intermodal transportation facilities.
- Increases the NHS by approximately 60,000 miles.

MAP-21 Challenges

Highway Beautification Act

- The Highway Beautification Act applies to the:
 - NHS system prior to MAP-21
 - Additional 60,000 miles that were added to the NHS by MAP-21.
 - Federal-aid primary system as of June 30, 1991
- The reduction in the apportionment for failure by the State DOT to have effective controls remains at 10%.

MAP-21 Challenges

Junkyard Control

- Junkyard Controls applied to the
 - Interstate System.
 - Primary System.
- ISTEA Replace the primary system
- MAP-21 redefines the National Highway System (NHS) as the Primary System.
- All NHS routes subject to junkyard control.
- The reduction in the apportionment for not having effective control was changed from 10% to 7%.



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Questions